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SUBJECT: Goma Report August 31 - Assessing
Responsibility for Rutshuru Skirmishes

1. (SBU) Summary: Exchanges of fire flared up on August 28, 29, and 30 along various points east of the Goma-Rutshuru road where FARDC and CNDP forces have been separated by a buffer zone and relatively quiet for several months. The spark appears to have been a major theft of cattle from the CNDP zone by the FARDC, followed by opening of fire by CNDP, and an occupation by FARDC of points within the buffer zone. The North Kivu brigade commander promises a full accounting by September 2, although efforts by the brigade to investigate have been hampered by persistent hostile actions by the local populace, possibly instigated by the FARDC. CNDP and FARDC allot total blame to the other, with FARDC claiming direct Rwandan involvement in a plan to cut the vital Rutshuru corridor. FARDC wants a fuller, more aggressive MONUC military presence well to the east of the road, while the North Kivu brigade commander asserts MONUC is best positioned to monitor cease-fire violations and to protect the corridor by keeping its presence principally based on or near the road. CNDP on August 30 promised to return to the working groups on disengagement on September 2, assuming adequate guarantees of security and barring further hostilities. However, it is not clear at this juncture whether this promise will have been vitiated by the continued exchange of fire and by the government's August 30 decision to close the road to Bunagana to commercial traffic. End summary.

2. (U) The international facilitation team (MONUC, France, UK, U.S.) on the morning of August 30 traveled to the "neutral zone" at Kimoka, north of Sake, to meet CNDP's Goma delegation chief Kambasu Ngeve and five CNDP military officers. Since the flare-up of skirmishes in the Rutshuru area August 28 CNDP had boycotted the meetings in Goma of the working groups on disengagement, citing fears for its security. It insisted that the facilitators would have to go to Kimoka if there were to be a meeting.

3. (SBU) Eastern Coordinator Alpha Sow urged CNDP to return at once to the working groups, underlining that it was especially to diminish the potential for fighting that the working groups had been formed. Kambasu said that the incidents over the preceding two days were extremely serious, resulting in CNDP casualties. He said that it was essential that MONUC establish a mechanism of investigation and assign responsibility against the FARDC, which had now occupied several new positions in the no-man's land east of the Rutshuru road (at Rugari, Ntamugenga village a few kilometers east of Kalengera, and at Mutobo east of Rutshuru and Rugarama near the Uganda border).

4. (SBU) The CNDP team said that it was outraged that the FARDC had stolen 180 cattle from CNDP-held Rukoro (southeast of Rutshuru). The territorial administration had now been able to return 69 of these cows, but it was likely that many of the remainder had been butchered and sold in the market by wives of FARDC soldiers. Kambasu said that CNDP would consider returning to the working groups if they could be held at Kimoka, but the facilitation team

negated the idea. Kambasu said that action should be taken to remove barriers on the roads from Kimoka to Goma and on CNDP's key demand of liberating political prisoners - two areas where the government could hugely improve the atmosphere.

15. (SBU) The facilitation team noted that National Coordinator Malu Malu had repeatedly asked CNDP for the list of prisoners, to which Kambasu said that it had provided General Etumba with the final list already in April; but he admitted that only in the past few days had CNDP also given Malu Malu the list. Alpha Sow lamented that CNDP had sorely provoked the government by raising the CNDP flag at the border crossing (controlled by CNDP) at Bunagana. Kambasu claimed that the flag "merely" was raised at a CNDP party headquarters, while the national flag still flew over the customs house, but then he admitted that the CNDP building was marked, "Territorial Administration." The meeting concluded with Kambasu's promise of CNDP's attendance Monday morning September 1 at the disengagement working groups, on the condition that its team was provided more ample security by MONUC and that there were no further attacks by FARDC. Following the meeting, the team learned that the government had banned trucks on the Bunagana road, moving commercial traffic to the less-preferred Ishasha road.

16. (SBU) On return to Goma, on the afternoon of August 30, the facilitation team met Brigadier General Bipin Rawat, the newly-arrived commander of the North Kivu brigade. Rawat had been in Kinshasa at the outbreak of the clashes on the early morning of August 28 but immediately had traveled to the Rutshuru area, from which he had returned earlier in the day to meet General Etumba. He said that the spark for the clashes appeared to have been a major theft by FARDC of cattle over the night of August 27-28, which

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produced an outburst of firing by CNDP, first, in the early morning at Kanombe and Gasiza (a few miles east of Kalengera and Rumangabo, then a little further north at Rukoro (the CNDP "frontier" along the Burai-Bunagana road) and near Mutabo, east of Rutshuru. Similar exchange of fire took place at Ntamugenga (also along the line of confrontation east of Kalengera) late on August 29.

17. (SBU) The facilitation team asked Rawat to confirm CNDP's claim that FARDC had now occupied four areas that had previously been in the buffer zone. Rawat said he did not believe that there had been any change of relative positions at Rugari (the southernmost of significant towns along the Rutshuru road north of the Congo-Nile divide). However, he said, the North Kivu brigade deemed Rugari to be the most sensitive place along the road, since it was there that CNDP positions were nearest (a mere kilometer) from the road, with FARDC positioned only along the road itself and a MONUC base located in the village itself between the two sides.

18. (SBU) Rawat said that CNDP was, however, correct about Ntamugenga, further north. FARDC had moved east into the buffer zone there and occupied the village of Ntamugenga (which had some months earlier been occupied by CNDP, but MONUC had persuaded CNDP to evacuate the village and withdraw to the heights overlooking it). Similarly, CNDP was correct that FARDC had moved east to occupy some of the buffer zone at Mutabo, where MONUC had a small base. As for the fourth area, Rawat said it was true that FARDC had recently newly occupied Rugarama, near the Ugandan border. However, he said, Rugarama was north of the CNDP-controlled area, and FARDC had occupied it as part of the campaign to deal with FDLR, which was active there. Rawat noted that, in the exchanges of fire August 28-29, there had been at least one FARDC killed, with 11 wounded, now at the Rutshuru hospital. He had no figures on CNDP casualties, nor did he know where CNDP wounded were being treated.

19. (SBU) Alpha Sow told Rawat and the facilitation group that he saw several steps that needed to be taken at once. First, responsibility had to be ascertained as accurately as circumstances would permit. Both sides were stoutly assigning responsibility to the other and directly challenging MONUC. Rawat promised that he would have a report by Tuesday, September 2. Rawat noted, however, that his brigade had been blocked from travel and from pursuing any investigation in several areas by angry crowds, whipped up to anti-MONUC fervor. Sow's assistant, M'hand Ladjouzi, observed that

it had long been a pattern of FARDC to block MONUC investigations by whipping up the populace.

¶10. (SBU) Sow said that, secondly, MONUC must pressure FARDC to withdraw from places (Ntamugenga and Mutobo) it had newly occupied within the buffer zone. Third, it needed to try to help recover stolen cattle (if any remained not yet butchered). Fourth, it needed to consider carefully how and whether it could meet FARDC's demand that MONUC stage a more robust military presence not just on the Rutshuru highway but in the buffer zone to the east of it. Fifth, it should reestablish the cease-fire violation monitoring mechanism (set up after the Goma conference but allowed to cease activity). Sixth, it needed to check on CNDP casualties - transfer to Rwanda would be a negative development. Seventh, the government closure of Bunagana could have significant repercussions (CNDP further boycott of the peace process or military action) which would need to be taken into consideration. Sow described this decision as either ill-considered or an intentional provocation. Eighth, the government authorities needed at once to intervene with the populace to cease blocking MONUC. Finally, it would be useful for the international facilitators to join an investigation on the ground.

¶11. (SBU) In the evening, Sow conveyed to the facilitation team new reports of firing taking place in the highly-sensitive Rugari area, which however subsided after a few hours. In a telephone conversation with poloff, Kambasu did not appear to be aware of the newest clashes (but certainly aware of the closure of the Bunagana road) and asserted that CNDP still planned to come to the working groups in Goma on September 1.

¶12. (SBU) On Sunday morning August 31, Etumba convoked the facilitation team, preparatory to the arrival of SRSB Doss and Defense Minister for a helicopter tour of the zone of clashes. Etumba admitted that FARDC had occupied Ntamugenga and "would see how" to withdraw its forces from that village. Meanwhile, he claimed, the CNDP on the previous evening had occupied "two small positions" near Kanombe, east of Rumangabo, perhaps a tit-for-tat for Ntamugenga. Etumba underlined his earlier request for a much more robust and aggressive MONUC military presence in the buffer zone east of the Rutshuru highway. Called upon by Etumba, Col.

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Delphin, deputy commander of the 8th Military Region, rehashed DRC's claims of Rwandan involvement in a master plan to cut the Rutshuru road, claiming that the Rwandan army chief had been at Bunagana on August 21 and two Rwandan battalions had crossed into the area. It was this CNDP-Rwandan plan to cut the Rutshuru road, Delphin added illogically, that had prompted the government to cut the Bunagana road. As for theft of cattle, Etumba and Delphin ridiculed the idea that any cattle-rustling could justify military action. However, Delphin admitted knowing that the theft of 80 (not 180) cattle had taken place.

¶13. (SBU) Etumba claimed that, in an earlier meeting with Rawat, Rawat had "completely endorsed" DRC claims of a CNDP-Rwandan plan to cut the Rutshuru road. Sow called Rawat to join the meeting, and Rawat said that he had merely noted to Etumba that, from a military standpoint, he could well imagine that CNDP would wish to cut the road and thereby join its eastern and western sectors now truncated by that road. However, Rawat said that (1) it was the North Kivu brigade's assessment that CNDP did not have the necessary military resources to be able to accomplish that goal, (2) in any case, MONUC stood with FARDC all along that road and had made it clear to CNDP that it would defend the road, and (3) it had absolutely no proof that any Rwandan battalions had crossed into DRC. Ladjouzi suggested that if DRC had proof of such allegations, which had repeatedly been made in the past and never backed up with believable evidence, it would be appropriate for DRC to submit it to the Security Council, as it involve a grave international violation by Rwanda. Col James Cunliffe, deputy Eastern commander, noted that MONUC had an observation post well within CNDP territory near Bunagana and that it would have been "inconceivable" for two Rwandan battalions to enter unobserved.

¶14. (SBU) Rawat said that when FARDC withdrew from Ntamugenga, as he hoped it would do at once, he would move a mobile base to that

village, as had already occurred at Mutobo. He said that it was his understanding that the firing the previous evening had occurred at the CNDP-controlled height (called Himdi) above Rugari, and he was not aware that any FARDC positions had been taken by CNDP either there or at Kanombe. Ladjouzi asked, if the firing had taken place within a CNDP area, who had attacked whom?

¶15. (SBU) On the issue of the North Kivu Brigade moving its center of focus in the Rutshuru corridor off the road into the buffer zone, Cunliffe observed that the brigade's concept had all along not been a static buffer zone but a capability to deploy quickly well inside the buffer zone and inside CNDP territory as necessary. Rawat emphasized the importance of quick movement along the road itself, as well as the necessity of also keeping an eye on CNDP's actions to the west of the road. Etumba said FARDC only saw a threat from the east, where CNDP was supported by and had room for fallback into Rwanda.

¶16. (SBU) Delphin, visibly angry, issued a blunt warning: if the CNDP attacked again later in the day, "it will be very bad tomorrow - it will be too much for us - it will be uncontrollable. We will have to react in full. It could be war tomorrow if MONUC does not respond now."

¶17. (SBU) Rawat said that, in fact, the North Kivu brigade had been trying to bring in reinforcements, e.g., by bringing up two BMPs to Rugari. However, civilians were blocking the entrance to Rugari, as they had been demonstrating against MONUC elsewhere in the area. Etumba agreed that the populace seemed increasingly to have turned against MONUC. Ladjouzi observed that the population was evidently being manipulated. Etumba said, "We will try - it is our responsibility - to calm them down and to explain that it is not MONUC's mission to fight in our place."

¶18. (SBU) Sow reviewed for Etumba the nine actions he had discussed the previous day with Rawat, noting that if CNDP were now holding any positions at Kanombe or elsewhere that they had not held prior to August 28, it, like FARDC, would need to withdraw at once.

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